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May 15, 2019~~May 14, 2019~~

Via ECF

The Honorable Alison J. Nathan  
United States District Judge  
Southern District of New York

**Re:** *Dedra De La Rosa v. Aspenly Co. LLC and Pure Green NYC 8th Street Corp*

**Docket No. 1:18-cv-03456 (AJN)(GWG)**

Dear Judge Nathan:

The parties hereby provide Your Honor with a joint letter in compliance with Your Honor's Order of May 10, 2019.

**1) Include a statement confirming that all fact discovery has been completed (the parties should not assume that the Court will grant any extensions);**

Plaintiff maintains that all discovery is completed.

The defendants state that fact discovery has not been completed. The parties have not taken depositions, and expert discovery has not yet been completed. Defendants respectfully request a sixty (60) day extension of the May 23, 2019 fact discovery deadline to complete discovery. This is the third request for an extension of time to complete fact discovery. The reason for this request is because the parties participated in a mediation on May 9, 2019.

**2) Include a statement regarding the status of any settlement discussions;**

On May 9, 2019, the parties participated in a mediation before a mediator from the SDNY mediation program. The parties were unable to resolve this action during the mediation. While the parties were unable to resolve at mediation, the mediator and the parties agreed to consider a mediator's proposal. As of the date of this letter, the parties have not yet received the mediator's proposal.

**3) Include a statement regarding whether any party intends to move for summary judgment on or before the deadline specified in the CMP; and**

Plaintiff does not intend to move for summary judgment.

Defendant Pure Green NYC 8<sup>th</sup> Street Corp. does not intend to move for summary judgment at this time but reserves the right to do so upon receipt of additional information received during fact discovery.

Defendant Aspenly Co. LLC does not intend to move for summary judgment motion at this time, but reserves the right to do so upon receipt of additional information received during fact discovery.

**4) If no party intends to move for summary judgment, propose (a) a deadline for the submission of a joint final pre-trial order pursuant to Rule 5.A of the undersigned's Individual Practices in Civil Cases, and (b) potential trial dates.**

Because the application by the defendants will impact scheduling, the parties are not able to provide responsive deadlines and dates.

Thank you for your time and attention to this matter. With kindest regards, I am

very truly yours,

/s/

Glen H. Parker, Esq.